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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,265	11/05/2001	Brian R. Beams	05222.00181	2519
29638	7590	03/29/2005	EXAMINER	
BANNER & WITCOFF AND ATTORNEYS FOR ACCENTURE 10 S. WACKER DRIVE, 30TH FLOOR CHICAGO, IL 60606			LIN, WEN TAI	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,265

Applicant(s)

BEAMS ET AL.

Examiner

Wen-Tai Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9 and 20 is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-19 and 21-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/23/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-41 are presented for examination.
2. Claims 8-9 and 20 are allowable
3. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.
4. Claims 24-30 and 32-41 are objected to because the following terms lack antecedent basis:
 - i. claims 24-29 and 32-38: "the production information"; and
 - ii. claim 29: "the presented information".
5. In response to Applicant's argument that Lannert (U.S. Pat No. 6073127) is not qualified as 103(a) prior art: it is noted that according to USPTO's PALM database the instant application was filed with INDELIQ, INC. as assignee, instead of AC Properties B.V., as claimed in the previous remarks. Since there is no common inventor or assignee in both applications, it is maintained that Lannert is a proper 103 prior art.

Claim Rejections - 35 USC § 102

6. Claims 1-3, 10, 12-15, 21, 23-25, 27, 29-35, 37 and 39-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Lannert et al.[U.S. Pat. No. 6073127].

7. Lannert was cited in the previous office action.

8. As to claims 1 and 12-13, Lannert teaches the invention as claimed including: a method for establishing a collaborative training session for a plurality of users [col.103, lines 2-29], comprising the steps of:

(a) receiving information indicative of a goal [Abstract: lines 1-3 and 19-22];

(b) prompting the users to enter a response congruent with the goal [Abstract: lines 8-12; Fig.5, wherein the correctness of the user's response is congruent with his/her educational goal];

(c) receiving the response to the goal;

(d) providing at least one user with feedback from at least one other user, wherein the feedback is designed to assist the at least one user to achieve the goal [Abstract: lines 12-15; col.43, lines 50-67; col.103, lines 1-29 and col. lines 1-2; note that the chat room information is being used as part of a dynamic feedback for helping a user to achieve the learning goal]; and

(e) invoking a chat room to assist the users in achieving the goal [Abstract: lines 19-22; note that a chat room by default must have more than one users, which forms

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feedback from the at least one other user and this other user can be either a peer student, a coach, or a tutor].

[See also Summary of the Invention: col.1, line 63 – col.2, line 18 and col.28, lines 14-29]

9. As to claims 2 and 14, Lannert further teaches that the step of calculating a level of congruency between the response and a target response designed to achieve the goal [e.g., col.28, lines 40-48; i.e., the user's answers are graded to indicate its correctness].

10. As to claims 3 and 15, Lannert further teaches that the level of congruency is calculated by a virtual director engine [col.28, lines 14-29; e.g., a student's deliverables are analyzed by ICAT and the associated coach or tutor].

11. As to claims 10 and 21, Lannert further teaches that the help includes a notification of the virtual director engine [col.32, lines 45-47; col.33, lines 11-17].

12. As to claim 23, Lannert teaches the invention as claimed including: a method for establishing a goal directed educational system utilizing information from a production system [col.28, lines 14-29; Abstract: lines 12-15; col.43, lines 50-67; col.103, lines 1-29 and col. lines 1-2, wherein ICAT is a production system], comprising the steps of:

(a) generating educational goals based on at least one production system

[Abstract: lines 19-22];

(b) coupling a server and one or more users [e.g., a chat room couples a server and more than one users];

(c) coupling the server and the production system wherein the production system provides information;

(d) integrating the production information into a simulation engine utilizing a system dynamics engine and generating information that motivates accomplishment of a goal [Fig.2];

(e) evaluating progress toward the goal based on aspects of the production system utilizing the system dynamics engine, anticipated results and providing feedback that further motivates accomplishment of the goal; and

(f) adjusting the feedback based on the one or more user's progress toward the goal [e.g., col.43, line 50 – col.44, line 59; see also the rejection on claim 1 above].

13. As to claim 24, Lannert further teaches that the production information is utilized to simulate real world actions and results [e.g., 234, 270, Fig.2].

14. As to claim 25, Lannert further teaches that the production information includes accounting information that is utilized to provide actual feedback based on current financial status [e.g., Figs. 28-32].

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15. As to claim 27, Lannert further teaches that the production information includes human resource information that is utilized to provide actual feedback based on current policies and procedures [e.g., col.89, lines 26-28].

16. As to claims 29-31, Lannert further teaches that the system dynamics engine utilizes an expert system to process the production information with predefined rules to provide feedback tailored to the production system and designed to achieve the goal and the feedback is selected based on the user's response to the presented information, and wherein the user's progress is measured against the information from the production system [e.g., Abstract; Figs. 33, 55-58].

17. As to claims 32-35, 37 and 39-41, since the features of these claims can also be found in claims 23-25, 27 and 29-31, they are rejected for the same reasons set forth in the rejection of claims 23-25, 27 and 29-31 above.

Claim Rejections - 35 USC § 103

18. Claims 4-7, 11, 16-19, 22, 26, 28, 36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lannert et al. (hereafter "Lannert") [U.S. Pat. No. 6073127], as applied to claims 1-3, 10, 12-15, 21, 23-25, 27, 29-35, 37 and 39-41 above.

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19. As to claims 4 and 16, Lannert does not specifically teach that the virtual director engine [i.e., the ICAT engine] is resident on a plurality of servers which are coupled to a computer network.

However, it is well known in the art to have identical software running at mirror sites or residing on a plurality of servers for reducing traffic and improving computational speed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make Lannert's ICAT residing on a plurality of on a plurality of servers because Lannert's ICAT needs to capture real time activities of students as they go through the course [col.29, lines 10-13].

20. As to claims 5-7 and 17, Lannert further teaches that the computer network supports Internet Protocol (IP) [col.2, lines 14-18], which obviously covers users on a LAN or WAN].

21. As to claims 11 and 22, Lannert does not specifically teach that the virtual director engine [i.e., the process carrying out ICAT] includes a domain expert engine. However, Lannert teaches that domain expert has knowledge of the domain or field of use of the expert system [col.1, lines 14-28], it is obvious that domain expert systems should be included in the ICAT, because the latter needs the kind of special knowledge to implement intelligent coaching in various fields.

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22. As to claims 26 and 28, Lannert does not specifically teach that the production information includes current manufacturing information to tailor feedback based on current production, or marketing information that is utilized to provide actual feedback based on current business projections.

However, Lannert teaches journalization transactions in great details exemplifying the use of the production system [see Figs. 28-32] and a broad range of tasks detailing the interaction components of the tool [see col.88, line 55 – col. 89, line 39]. It would have been obvious to one of ordinary skill in the art at the time the invention was made that Lannert's is not limited to the illustrated examples. Rather, it is clear that Lannert's production system may also include accounting, marketing and many other information for providing feedback based on current financial status, business projections etc. because Lannert's system is meant to provide cognitive education experience in various fields [col.1, line 62 – col.2, line 19].

23. As to claims 18-19, 36 and 38, since the features of these claims can also be found in claims 13-16, 23, 26, 28 and 33, they are rejected for the same reasons set forth in the rejection of claims 13-16, 23, 26, 28 and 33 above.

24. Applicant's arguments on 12/26/2004 for claims 1-7, 10-19 and 21-41 have been considered, but they are not deemed to be persuasive.

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Specifically, Applicant argues that Lannert's teaching does not relate to: (1) prompting the users and to a response congruent with the goal; and (2) providing at least one user with feedback from at least one other user.

25. The examiner respectfully disagrees because: (1) the users of Lannert's ICAT all have a clear educational goal of learning the selected subjects (see, e.g., Abstract: lines 19-22) and therefore the question sets are designed to reflect each user's understanding of a selected subject, from which answers do reflect the degree of success toward the user's educational goal; and (2) Lannert clearly teaches that the system also makes use of chat room information as part of the dynamic, goal-based, remediation learning information feedback (see e.g., col.103 lines 1-29 and col.103, line 65 – col.104, line 2), wherein the chat room, by default, must contain more than one users (including the tutor) interacting among themselves.

26. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

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Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

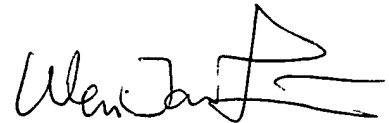
(571)273-3969 for status inquiries draft communication.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

March 22, 2005



3/22/05